



Uniform Law Commission

NATIONAL CONFERENCE OF COMMISSIONERS ON UNIFORM STATE LAWS

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Joint Committee on Judiciary
State of Connecticut General Assembly
Room 2500
Legislative Office Building
Hartford, CT 06106

Chairmen Coleman and Fox, Vice Chairs Doyle and Ritter, Ranking Members Kissel and Rebimas, and Distinguished Members:

The Uniform Law Commission writes in support of Raised Senate Bill 1063, an act concerning the Uniform Collateral Consequences of Conviction Act.

The term "collateral sanction" is used in the Uniform Collateral Consequences of Conviction Act (the UCCCA) to mean a legal disability that occurs by operation of law because of a conviction but is not part of the sentence for the crime. It is "collateral" because it is not part of the direct sentence. It is a "sanction" because it applies solely as a result of a conviction of a criminal offense. The Uniform Act also uses the term "disqualification" to refer to a disadvantage or disability that an administrative agency, civil court or other state actor other than a sentencing court is authorized, but not required, to impose based on a conviction. Collectively, collateral sanctions and disqualifications comprise collateral consequences.

Raised Senate Bill 1063 addresses three significant problems:

1. The need for information about collateral consequences;
2. The need to harmonize state law relating to collateral consequences; and
3. The need for some relief from collateral consequences.

Raised Senate Bill 1063 provides for a single document listing all collateral consequences contained in Connecticut's laws and regulations. Each consequence must be summarized by a short description that explains the nature and extent of the penalty. Further, the document must include all provisions for avoiding or mitigating the penalty. The completed list must be made available to the public upon completion. All collateral consequences must be authorized by statute or regulation. This collection will not represent a body of positive law, nor will it constitute a change to existing state law. The cost to collect of all the collateral consequences is being substantially mitigated by a grant from the National Institute of Justice (NIJ) to the American Bar Association (ABA). Execution of the NIJ/ABA project will produce a comprehensive compilation of collateral consequences specified for criminal offenses under state and territorial laws and regulations within three years of project inception.

Raised Senate Bill 1063 balances the interests of public safety with the need to improve opportunities for successful reintegration of persons with convictions. The Act would establish two devices to provide relief, an Order of Limited Relief and a Certificate of Restoration of Rights. Neither device would relieve obligations related to sex offender registration, motor vehicle licensing, or the right to employment by law enforcement agencies.

Perhaps as many as 100 million people have been convicted of least one crime and are subject to

collateral consequences. It is important for an offender to have a collection of the consequences and an ability to rehabilitate.

There is also a changing emphasis in criminal law from a strictly punitive system to a smarter system that is designed to render justice, but also to offer rehabilitative opportunities. For these reasons, I respectfully request that the members of the Joint Committee on Judiciary vote favorably on Raised Senate Bill 1063. Thank you.

Sincerely,

A handwritten signature in black ink that reads "Nicole Julal". The signature is written in a cursive, flowing style.

Nicole Julal

ULC Senior Legislative Counsel

Cc: Connecticut ULC Commissioner Neal Ossen